

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

In Re:

MASSOUD RAJABI,

CASE NO.: 6:18-bk-07976-ABB

Debtor.

Chapter 13

\_\_\_\_\_ /

**DEBTOR'S RESPONSE TO MOTION FOR RELIEF FROM STAY  
FILED BY VILLAS AT LAKESIDE CONDOMINIUM ASSOCIATION, INC.**

COMES NOW, the Debtor, MASSOUD RAJABI, by and through the undersigned attorney, and hereby responds to the Motion for Relief From Stay Filed by Villas at Lakeside Condominium Association, Inc. ("Villas at Lakeside")(the "Motion"), and in support thereof states as follows:

1. The Motion accurately states that Villas at Lakeside obtained a judgment of foreclosure against the Debtor's property located at 1919 Summer Club Drive, Unit 105, Oviedo, FL 32765 (the "Property").
2. However, the Motion fails to state that the Debtor filed an appeal to the Fifth District Court of Appeals, Case #5D18-0852 (the "Appeal") and that the Appeal was pending when the Debtor filed this Chapter 13 case.
3. The Debtor has also requested relief from the Automatic Stay for the limited purpose of allowing the Appeal to resolve.
4. The Debtor believes that he will prevail in the Appeal. However, if he does not, the Debtor has provided for adequate protection payments to Villas at Lakeside and is current on those payments to the Chapter 13 Trustee.
5. Therefore, the Debtor does not oppose the Motion to the extent that it allows the Appeal to continue to completion.

6. However, the Debtor opposes the Motion to the extent that it allows Villas at Lakeside to reschedule the foreclosure sale until the Appeal is complete.

WHEREFORE, the Debtor respectfully requests that this Honorable Court deny the Motion and/or set the Motion for hearing.

/s/ Charles W. Price  
CHARLES W. PRICE, ESQ.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 20, 2019, a true and correct copy of the foregoing was served by CM/ECF on all parties having appeared electronically in this case; or by U.S. Mail to: Trustee, Laurie K. Weatherford, Post Office Box 3450, Winter Park, FL 32790; Karen Marcell, Esq. Garfinkel Whynot, 300 M. Maitland Ave., 32751; United States Trustee – ORL7/13, Office of the United States Trustee, George C. Young Federal Building, 400 West Washington Street, Suite 1100, Orlando, FL 32801; and, Massoud Rajabi, 1588 Slash Pine PL Oviedo, FL 32765

/s/ Charles W. Price  
CHARLES W. PRICE, ESQ.  
PRICE LAW FIRM  
400 Maitland Avenue, Suite 1000  
Altamonte Springs, FL 32701  
Charlie@cpricelawfirm.com  
Fla. Bar No. 870862  
P. 407.834.0090  
F. 407.386.7610